

Express Mail No. EV 410 060 398 US

Attorney Docket No. 1909/US/2

DECLARATION FOR PATENT APPLICATION

DECLARATION:

As the below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled DUAL-DIRECTION PULLEY SYSTEM, which may be identified as Serial No. 10/635,072, filed August 6, 2003; also known as Attorney Docket No. 1909/US/2, filed with Express Mail Label No. EV 096707376 US. I authorize the assignee, or its agent or representative, to fill in the serial number for this application once it is available.

The person named as inventor in this application is: Eric D. GOLESH

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56, as attached.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application, having a filing date before that of the application on the basis of which priority is claimed.

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 U.S.C. § 119/365			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

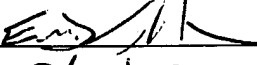
I hereby claim the benefit under 35 U.S.C. 120/365 of any United States or PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)
60/402,327	08/08/2002	pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name:	Eric D. GOLESH
Inventor's Signature:	
Date:	9/18/23
Residence: (City, State and/or Country)	Thornton, Colorado
Citizenship:	United States
Post Address Office:	897 East 132 nd Drive, Thornton, CO 80241

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.



PATENT

Attorney Docket No. 1909/US/2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Eric D. GOLESH

Examiner:

Serial No. 10/635,072

Art Unit:

Filed: August 6, 2003

For: DUAL-DIRECTION PULLEY SYSTEM

**COMBINED POWER OF ATTORNEY BY ASSIGNEE
AND SUBMISSION UNDER 37 C.F.R. §§ 3.71 AND 3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

As an officer of Nautilus, Inc. ("assignee"), a Washington corporation, I hereby certify that the undersigned is a representative authorized and empowered to sign on behalf of the assignee, and that to the best of assignee's knowledge and belief it is the assignee of the entire right, title and interest in and to the above-referenced patent application by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application identified above,
☐ 1. a copy of which is attached; or
☐ 2. which is recorded in the U.S. Patent and Trademark Office at Reel _____, Frame _____, a copy of which is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:
1. From: Eric D. Golesh To: Nautilus, Inc.
The document was recorded in the U.S. Patent and Trademark Office at Reel 013842, Frame 0319, or a copy of which is attached.
 2. From: Eric D. Golesh To: Nautilus, Inc.
The document was recorded in the U.S. Patent and Trademark Office at Reel _____, Frame _____, or a copy of which is attached.

Assignee hereby appoints on its behalf the following patent attorneys to prosecute the patent application identified above and to transact all business in the Patent Office connected therewith:

Dorsey & Whitney LLP
USPTO Customer No. 20686

Pursuant to 37 C.F.R. § 3.71, the assignee hereby states that prosecution of the above-referenced patent application is to be conducted to the exclusion of the inventors.

Send all correspondence relating to this matter to:

Dorsey & Whitney LLP
USPTO Customer No. 20686

Direct all telephone calls to **Lee R. Osman** at **303-629-3434**.

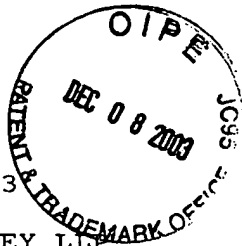
The undersigned hereby declares that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 18th day of September, 2003.

ASSIGNEE:

NAUTILUS, INC.

By Holden J. Bank
Name: Holden Bank
Title: Vice President, Corporate Counsel
and Assistant Secretary
Address: 1400 NE 136th Avenue
Vancouver, Washington 98684-0818



Express Mail No. EV 410 060 398 US

**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

AUGUST 01, 2003

PTAS

DORSEY & WHITNEY LLP

LEE R. OSMAN

370 SEVENTEENTH STREET, SUITE 4700

DENVER, CO 80202-5647



700038452A

**UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/30/2003

REEL/FRAME: 013842/0319

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GOLESH, ERIC D.

DOC DATE: 07/22/2003

ASSIGNEE:

NAUTILUS, INC.

1400 NE 136TH AVENUE

VANCOUVER, WASHINGTON 98684-0818

SERIAL NUMBER: 60402327

FILING DATE: 08/08/2002

PATENT NUMBER:

ISSUE DATE:

TONYA LEE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

07/30/2003
700038452

Docket No.: 11713.00

<p>FORM PTO-1595 (Modified) (Rev. 03-01) OMB No. 0651-0027 (exp. 5/31/2002) P08A/REV03</p>		<p>RECORDATION FORM COVER SHEET PATENTS ONLY</p>		<p>U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office</p>	
<p>To the Honorable Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.</p>					
<p>1. Name of conveying party(ies): <u>Eric D. Golsh</u></p> <p>Additional names(s) of conveying party(ies) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			<p>2. Name and address of receiving party(ies):</p> <p>Name: <u>Nautilus, Inc.</u></p> <p>Address: <u>1400 NE 136th Avenue</u></p> <p>City: <u>Vancouver</u> State/Prov.: <u>WA</u></p> <p>Country: <u>U.S.A.</u> ZIP: <u>98684-0818</u></p> <p>Additional name(s) & address(es) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>		
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger</p> <p><input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name</p> <p><input type="checkbox"/> Other _____</p> <p>Execution Date: <u>22 July 2003</u></p>			<p>4. Application number(s) or patent numbers(s):</p> <p>If this document is being filed together with a new application, the execution date of the application is: _____</p> <p>Patent Application No. <u>60/402,327</u> Filing date <u>08 August 2002</u></p> <p>B. Patent No.(s) _____</p> <p>Additional numbers <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>		
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <u>Lee R. Osman</u></p> <p>Registration No. <u>38,260</u></p> <p>Address: <u>DORSEY & WHITNEY LLP</u></p> <p><u>370 Seventeenth Street, Suite 4700</u></p> <p>City: <u>Denver</u> State/Prov.: <u>CO</u></p> <p>Country: <u>U.S.A.</u> ZIP: <u>80202-5647</u></p>			<p>6. Total number of applications and patents involved: <u>1</u></p> <p>7. Total fee (37 CFR 3.41): \$ <u>40.00</u></p> <p><input type="checkbox"/> Enclosed - Any excess or insufficiency should be credited or debited to deposit account</p> <p><input checked="" type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: <u>04-1415</u></p> <p>(Attach duplicate copy of this page if paying by deposit account)</p>		
<p>DO NOT USE THIS SPACE</p>					
<p>9. Statement and signature.</p> <p>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</p> <p><u>Lee R. Osman</u> <u>Lee R. Osman</u> <u>29 July 2003</u></p> <p>Name of Person Signing Signature Date</p> <p>Total number of pages including cover sheet, attachments, and _____</p>					

Mail documents to be recorded with required cover sheet information to:
Mail Stop Assignment Recordation Services
Director of the United States Patent and Trademark Office

ASSIGNMENT

WHEREAS, I, Eric D. Golesh, whose residence address is shown below, have made a certain new and useful invention relating to a Dual Direction Pulley System, for which I have made application for Letters Patent of the United States, which application may be identified in the United States Patent Office as Provisional Application Serial No. 60/402,327, filed on August 8, 2002, for DUAL DIRECTION PULLEY SYSTEM; and

WHEREAS, I now own the entire right, title and interest therein; and

WHEREAS, Nautilus, Inc., a Washington corporation, whose post office address is 1400 NE 136th Avenue, Vancouver, Washington 98684-0818, is desirous of acquiring the entire interest in and to said invention, said application, or any subsequent provisional, nonprovisional, continuation, continuation-in-part, divisional, renewal, or substitute thereof, international and foreign and regional applications corresponding or relating thereto, and the Letters Patent, both foreign and domestic, or any reissue or reexamination thereof, to be obtained therefor;

NOW THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to me in hand paid, the receipt and sufficiency of which are hereby acknowledged, I have sold, assigned, and set over and by these presents do hereby sell, assign and set over unto the said Nautilus, Inc., and said assignee's legal representatives, successors and assigns, the entire right, title and interest in and to said invention, said provisional application or any subsequent provisional, nonprovisional, continuation, continuation-in-part, divisional, renewal or substitute thereof, international and foreign and regional applications corresponding or relating thereto, and the Letters Patent, both foreign and domestic, that may or shall issue thereon, or any reissue or reexamination thereof; and I do hereby authorize and request the Commissioner of Patents to issue said Letters Patent to the above-mentioned assignee, consistent with the terms of this Assignment.

UPON SAID CONSIDERATION, I hereby covenant and agree with the said assignee that I will not execute any writing or do any act whatsoever conflicting with these presents, and that I will, at any time upon request, without further or additional consideration, but at the expense of the said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making

application for and obtaining original, continuation, continuation-in-part, divisional, renewal, reissued, reexamined or extended Letters Patent of the United States, or of any and all foreign countries, on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the assigns and legal representatives of both parties.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on the date indicated below.

7/22, 2003

Eric D. Golesh
Eric D. Golesh
897 East 132nd Drive
Thornton, Colorado 80241

STATE OF COLORADO)
COUNTY OF Boulder) ss.

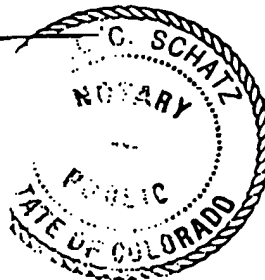
On this 22nd day of July, 2003, before me a notary public in and for said county, appeared Eric D. Golesh who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he signed, sealed and delivered the same instrument as a free and voluntary act for the uses and purposes therein set forth.

(S E A L)

Jane C. Schatz
Notary Public

My commission expires:

9/28/06



A S S I G N M E N T

WHEREAS, I, Eric D. GOLESH, whose post office address is shown below, have made a certain new and useful invention relating to a dual-direction pulley system, for which we have made application for Letters Patent of the United States, which application may be identified in the United States Patent Office as Application Serial No. 10/635,072 filed on August 6, 2003, for DUAL-DIRECTION PULLEY SYSTEM; and

WHEREAS, Nautilus, Inc., a Washington corporation, whose post office address is 1400 NE 136th Avenue, Vancouver, Washington 98684-0818, by an earlier Assignment dated July 22, 2003, owns all right, title, and interest in and to the U.S. Provisional Application Serial No. 60/402,327 filed August 8, 2002, entitled DUAL DIRECTION PULLEY; and

WHEREAS, to the extent that I now own any right, title and interest in the invention described and claimed in Application Serial No. 10/635,072 not already transferred to Nautilus, Inc. by the earlier Assignment, I am desirous of assigning such interest to Nautilus, Inc.; and

WHEREAS, Nautilus, Inc. is desirous of acquiring the entire interest in and to said invention, said application and any continuation, continuation-in-part, divisional, renewal, or substitute thereof, international and foreign and regional applications corresponding thereto, and the Letters Patent, or any reissue or reexamination thereof, to be obtained therefor:

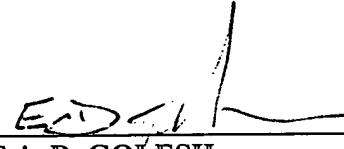
NOW THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to me in hand paid, the receipt and sufficiency of which are hereby acknowledged, I have sold, assigned, and set over and by these presents do hereby sell, assign and set over unto Nautilus, Inc., and its legal representatives, successors and assigns, the entire right, title and interest in and to said invention, said application and any continuation, continuation-in-part, divisional, renewal or substitute thereof, international and foreign and regional applications corresponding thereto, and the Letters Patent, both foreign and domestic, that may or shall issue thereon, or any reissue or reexamination thereof, to the extent I own any part thereof; and I do hereby authorize and request the Commissioner of Patents to issue said Letters Patent to the above-mentioned assignee, consistent with the terms of this Assignment.

UPON SAID CONSIDERATION, I hereby covenant and agree with the said assignee that I will not execute any writing or do any act whatsoever conflicting with these

presents, and that I will, at any time upon request, without further or additional consideration, but at the expense of the said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, continuation, continuation-in-part, divisional, renewal, reissued or extended Letters Patent of the United States, or of any and all foreign countries, on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the assigns and legal representatives of both parties.

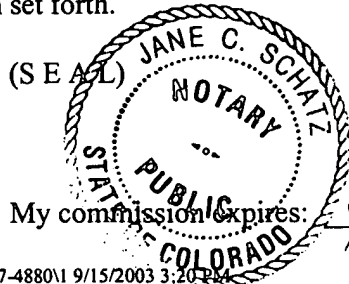
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on the date indicated below.

9/18, 2003


Eric D. GOLESH
Address:
897 East 132nd Drive
Thornton, Colorado 80241

STATE OF COLORADO)
) ss.
COUNTY OF Boulder)

On this 18th day of September, 2003, before me a notary public in and for said county, appeared Eric D. GOLESH, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he signed, sealed and delivered the same instrument as a free and voluntary act for the uses and purposes therein set forth.




Notary Public

4843-9087-4880\1 9/15/2003 3:20 PM